

IN THE
Supreme Court
OF THE
United States

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IN RE THE PETITION OF WIL-
LIAM G. EHRLICH FOR A
WRIT OF HABEAS CORPUS

TRANSCRIPT OF RECORD.

HENRY J. SULLIVAN,
WM. C. PRENTISS,
JOSEPH E. MORRISON,
Attorneys for Petitioner.

Filed this _____ day _____, 1926.

Clerk, Supreme Court.

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IN RE THE PETITION OF WIL-
LIAM G. EHRLICH FOR A
WRIT OF HABEAS CORPUS

TRANSCRIPT OF RECORD.

The Grand Jurors of the United States, impaneled, sworn and charged at the term aforesaid, of the

Court aforesaid, on their oath present, that one William G. Ehrlich, whose true and full name is to the Grand Jurors unknown, on or about the 19th day of December, A. D. 1925, in the County of Maricopa, State and District of Arizona, did wilfully, unlawfully, knowingly, and feloniously sell, dispense and distribute to one James Tabor a certain salt, compound, derivative and preparation of opium, to-wit: approximately forty grains of morphine, without first having registered with the Collector of Internal Revenue for the District of Arizona, his name and place of business, and place or places where such business was to be carried on, and without first having paid the special tax, as provided for by an Act of Congress entitled, "An Act to provide for the registration of, with Collectors of Internal Revenue and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives or preparations and for other purposes", approved December 17, 1914, as amended by an Act of Congress entitled, "An Act to provide Revenue, and for other purposes", approved February 24, 1919, as re-enacted by an Act of Congress known as "The Revenue Act of 1921"; contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

SECOND COUNT

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that one William G. Ehrlich, whose true and full name is to the Grand Jurors unknown, on or about the 14th day of January,

A. D. 1926, and within the County of Maricopa, State and District of Arizona, wilfully, unlawfully, knowingly and feloniously did have in his possession and under his control a certain salt, derivative, compound and preparation of opium to-wit: approximately forty-five grains of morphine, without first having registered with the Collector of Internal Revenue for the District of Arizona his name and place of business, and place or places where such business was to be carried on, and without first having paid the special tax, as provided for by an Act of Congress entitled, "An Act to provide for the Registration of, with Collectors of Internal Revenue and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives or preparations and for other purposes", approved December 17, 1914, as amended by an Act of Congress entitled, "An Act to provide Revenue, and for other purposes", approved February 24, 1919, as re-enacted by an Act of Congress known as "The Revenue Act of 1921", and at the same time and place of so possessing and controlling the said morphine as aforesaid, the said William C. Ehrlich was then and there a person dealing in, selling, distributing and dispensing opium, and the salts, derivatives, compounds and preparations thereof, as mentioned and defined by the said Acts of Congress; contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

GEO. T. WILSON,
Asst. United States Attorney
for the District of Arizona.

(ENDORSEMENTS)

No. 2619—Phoenix

UNITED STATES DIST. COURT,
DISTRICT OF ARIZ.

.....DIVISION.

THE UNITED STATES OF AMERICA

vs.

WILLIAM G. EHRLICH,

INDICTMENT

WITNESSES:

S. D. Ramseur
Roy Wayland
F. W. Fogwell
A. G. Baldwin

A true bill,

Ewd. Allemand
Foreman

Filed in open Court this 1st day of February, A. D.
1926.

C. R. McFALL, Clerk.
By PAUL DICKASON,
Deputy Clerk.

Bail, \$

REGULAR OCTOBER, 1925, TERM AT PHOENIX
IN THE UNITED STATES DISTRICT COURT IN
AND FOR THE DISTRICT OF ARIZONA.

(MINUTE ENTRY OF FEBRUARY 1, 1926.)

HONORABLE F. C. JACOBS,
UNITED STATES DISTRICT JUDGE,
PRESIDING.

UNITED STATES OF AMERICA,
Plaintiff,

vs.

WILLIAM G. EHRLICH,
Defendant.

2619-C Phoenix

ARRAIGNMENT AND PLEA

The defendant, William G. Ehrlich, is present in person and with counsel, Henry J. Sullivan, Esq., and is now duly arraigned. The defendant waives reading of the Indictment and a copy thereof is handed to him; the defendant's plea is Not Guilty, which plea is duly entered.

REGULAR OCTOBER, 1925, TERM AT PHOENIX

(MINUTE ENTRY OF MARCH 2, 1926)

HONORABLE F. C. JACOBS,
UNITED STATES DISTRICT JUDGE,
PRESIDING.

COURT AND CAUSE

IT IS ORDERED by the Court that the following cases be set for trial at ten o'clock A. M. Tuesday, March 9, 1926.

C-2619 U. S. A. vs. William G. Ehrlich

REGULAR OCTOBER, 1925, TERM AT PHOENIX

(MINUTE ENTRY OF MARCH 10, 1926)

HONORABLE F. C. JACOBS,
UNITED STATES DISTRICT JUDGE,
PRESIDING.

COURT AND CAUSE

The defendant, William G. Ehrlich, is present in person and with counsel, Henry J. Sullivan, Esq., and withdraws his plea of Not Guilty heretofore entered, and pleads guilty, which plea is duly entered. The defendant waives time for Sentence, and no legal cause appearing why Judgment should not now be imposed, the Court renders Judgment as follows:

That the said defendant having been duly convicted of the crime charged in the Indictment herein, to-wit: unlawfully sell, etc., and possess said narcotic drugs, to-wit: morphine, committed on December 19, 1925, and on January 14, 1926, in violation of the Act of December 17, 1914, as amended, the Court now finds said defendant guilty thereof and does,

ORDER, ADJUDGE AND DECREE that as a punishment therefor on the first count he shall be imprisoned in the United States Penitentiary at Leaven-

worth, Kansas, for the term of fifteen (15) months, to date from the day of his arrival at said penitentiary.

And on the second count that he be imprisoned in the aforesaid penitentiary at Leavenworth, Kansas, for the term of fifteen (15) months, to run concurrently with the term of imprisonment imposed on the first count.

The defendant is remanded to custody of the Marshal for execution of the Judgment.

THE UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA,)
District of Arizona) ss.
)

C-2619—(Phoenix)

THE PRESIDENT OF THE UNITED STATES OF
AMERICA

To the Marshal of the United States in and for the
said District of Arizona, and to the Warden of the
United States Penitentiary, Leavenworth, Kansas—
GREETING:

WHEREAS, at a Stated Term of the United
States District Court for the District of Arizona, on
the 1st day of February, 1926, an indictment was re-
turned by the Grand Jury of the United States for
said District of Arizona against

WILLIAM G. EHRLICH,

(Number C-2619—Phoenix) for the crime of unlaw-
fully and feloniously sell, etc., and possess narcotic
drugs (morphine), committed on Dec. 19, 1925, and
on Jan. 14, 1926, in violation of the Act of December
17, 1914, as amended.

AND WHEREAS, the said William G. Ehrlich
was on the 10th day of March, 1926, duly convicted in
said Court of said crime.

AND WHEREAS, pursuant to said conviction,
the Judgment and Sentence of said Court rendered
and imposed on the 10th day of March, 1926, was and
is that he be imprisoned in the United States Peni-

tentiary at Leavenworth, Kansas, on the first count for the term of Fifteen (15) months to date from the day of his arrival at said penitentiary; and on the second count, that he be imprisoned in the aforesaid penitentiary for the term of fifteen (15) months, to run concurrently with the term of imprisonment imposed on the first count.

As will fully and at large appear from the records and proceedings of said Court,

NOW, THEREFORE, in the name of the President of the United States of America, you, the said Warden of said Penitentiary, are hereby commanded to receive and safely keep and imprison the said William G. Ehrlich until said Judgment and Sentence be fully complied with, or until he be discharged therefrom by due process of law.

WITNESS, The Honorable F. C. Jacobs, Judge of said District, and my hand and the seal of said Court this 11th day of March, 1926.

C. R. McFALL,

Clerk.

By M. R. MALCOLM,

Deputy Clerk.

(Seal)

UNITED STATES MARSHAL'S RETURN

I received the within commitment Mar. 11, 1926, and executed the same on....., 192....., by delivering the body of within named..... to the Warden of the United States Penitentiary, Leavenworth, Kansas, as herein directed; and at the same time I handed to said Warden a duplicate original of the within Commitment.

Dated

.....
U. S. Marshal, District of Arizona.

By.....
Deputy.

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,)
) ss.
District of Arizona)

I, C. R. McFall, Clerk of the United States District Court for the District of Arizona, do hereby certify that the above and foregoing is a true, perfect, and complete copy of the Indictment, Minute Entries of Feb. 1, 1926, March 2nd, 1926, and March 10th, 1926, and Commitment, in case No. C-2619—(Phoenix), United States of America vs. William G. Ehrlich, as the same appears from the original record remaining in my office.

WITNESS my hand and the seal of said Court
this 2nd day of April, 1926.

C. R. McFALL,

Clerk.

By M. R. MALCOLM,

(Seal)

Deputy.